

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

In re: Gold King Mine Release in San Juan
County, Colorado on August 5, 2015

No. 1:18-md-02824-WJ

*This Document Relates to:
All Cases*

**ORDER RESULTING FROM OCTOBER 30, 2020
TELEPHONIC STATUS CONFERENCE**

The Special Master conducted a telephonic status conference pursuant to Fed. R. Civ. P. 16(c)(2)(F) and (L) on October 30, 2020. All parties except the McDaniel Plaintiffs were represented at the conference.¹ The following decisions were made by the Special Master:

1. The Special Master ordered the United States and the Allen Plaintiffs to determine within one week if they can agree on a stipulation regarding the scope of potentially recoverable personal injuries claimed by the Allen Plaintiffs under Colorado law. If they can agree, the parties involved were instructed to submit the stipulation to the Special Master. If they cannot agree, the Special Master will put this issue on the agenda for the November 20, 2020 telephonic status conference for further discussion.

2. In regard to the Motion for a Protective Order filed by the State of New Mexico, Doc. 884, the Special Master informed the parties that he would handle that motion and request oral argument, if necessary. If the State of New Mexico or the United States wants to have a hearing, they need to advise the Special Master in their Response or Reply. In regard to a potential Motion by the State of New Mexico to Amend the Complaint and the Motion to

¹ Following the status conference, the Special Master was advised that Will Ferguson, the attorney for the McDaniel Plaintiffs had attempted to attend but did not have the correct conference call in number.

Dismiss the State of New Mexico's Tort Claims for Lack of Standing filed by the United States as Doc. 876, the Special Master informed the parties that these motions will need to be decided by the presiding judge, Chief District Judge William P. Johnson.

3. The Special Master ordered that the Egolf Law Firm produce the documents requested from two of the Allen Plaintiffs and confirm that those two Allen Plaintiffs are the only two individuals who have documents that have not been provided at this time. The Special Master further ordered that the documents that are currently in the office of the Egolf Law Firm be produced the week of November 2, 2020 and that the documents that the Egolf Law firm expects to receive by mail from the remaining Allen Plaintiff be produced within 30 days.

4. After a discussion on a request by the State of New Mexico and the Navajo Nation to reconsider the Order Regarding the Deposition of Richard Olsen, Ph. D., filed as Doc. 875, the Special Master informed the parties that the Order would be amended. The order amending Doc. 875 has been filed as Doc. 893.

5. The Order Amending and Extending Case Management Deadlines has been filed as Doc. 889.

IT IS SO ORDERED.


SPECIAL MASTER HON. ALAN C. TORGERSON